

AN ORDINANCE

97111

AUTHORIZING A TEN (10) YEAR LICENSE AGREEMENT WITH BEXAR CONCRETE WORKS, INC. TO ERECT A GATE ACROSS A PORTION OF JUDSON ROAD PUBLIC RIGHT OF WAY AT A POINT BEING APPROXIMATELY 1000 FEET NORTH OF NORTH LOOP 1604 EAST FOR THE CONSIDERATION OF \$5,000.00.

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WHEREAS, the petitioner, Bexar Concrete Works, Inc., has proposed to erect a gate across a portion of Judson Road Public Right of Way at a point being approximately 1,000 feet north of N. Loop 1604 E; and

WHEREAS, this portion of Judson Road dead-ends in the petitioner's property and that of all abutting owners and it has become an area subject to vandalism, theft and illegal dumping ("activities") along this stretch of Public Right of Way; and

WHEREAS, the City of San Antonio has found the improvements to be in the best interest of the public and an effort to promote the health, safety and general welfare of the public, since installing the gate will serve to reduce the number of investigations by the San Antonio Police Department and other City departments responding to reports of such activities; and

WHEREAS, the City is agreeable to granting a License Agreement for the consideration of \$5,000.00 and a term of ten years to the Petitioner with the understanding that the license may be revoked with 90 days' notice if the City develops this portion of Judson Road or if it is deemed necessary by the City; and

WHEREAS, Petitioner's request has been circulated through all interested City departments and utility agencies involved and Petitioner has agreed to the conditions and/or restrictions imposed by the Departments of Asset Management, Public Works, San Antonio Water System and City Public Service through a letter agreement; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. A License Agreement between the City of San Antonio and Bexar Concrete Works, Inc. as Licensee, for a term of ten years to erect a gate across a portion of Judson Road Public Right of Way at a point being approximately 1000 feet north of N. Loop 1604 East, is hereby authorized. A copy of the License Agreement, signed on behalf of the Licensee, is attached hereto as **Attachment I** and incorporated herein verbatim for all purposes.

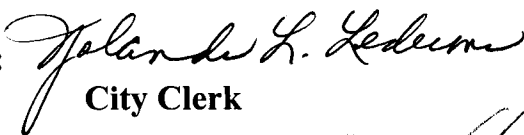
SECTION 2. The grant of the License is contingent on Licensee's compliance with the conditions and/or restrictions set forth in a letter agreement, a copy of which is attached hereto as **Attachment II**.

SECTION 3. The Proceeds of the Agreement shall be deposited into Fund No. 11-000 entitled "General Fund", Index Code No. 012732, entitled "License Agreements – Use of Right of Way".

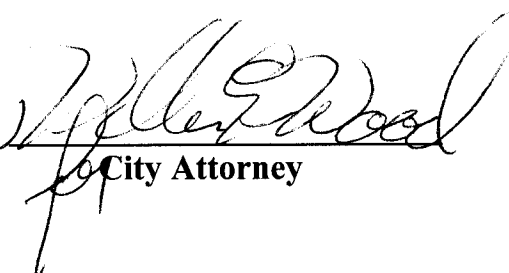
SECTION 4. This ordinance shall take effect on the 9th day of February 2003.

PASSED AND APPROVED this 30th day of January, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM:


City Attorney